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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

MENBERU, BENIYAM

ART UNIT PAPER NUMBER

2626

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/924,724

Applicant(s)

MORI ET AL.

Examiner

Beniyam Menberu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 and 51-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 and 51-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 11, and 21 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 1 recites the limitation "the print processing result" in lines 10-11. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 11 recites the limitation " the print processing result " in lines 10-11. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 21 recites the limitation " the print processing result " in lines 11-12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

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351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 11, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6661530 to Munetomo et al.

Regarding claims 1, 11, and 21, Munetomo et al disclose an information processing apparatus that creates a print job to be printed by a printing apparatus having an inversion process function (column 29, lines 4-8), comprising:
receiving means for receiving print data for printout from an application (Figure 2, reference 2-5; column 8, lines 31-45);
intermediate data converting means for converting print data received from the application to an intermediate code format data and storing said converted intermediate code format data and processing conditions of said print data (Figure 2, reference 2-5; column 8, lines 43-45; The print data sent to 2-28 and eventually to the printer driver is intermediate code since it is not the final format for printing because it will be once again converted to the final format for printing by 2-18 (column 9, lines 20-24).);
detection means for analyzing the processing conditions and detecting a setting of the inversion process function to be executed by the printing apparatus (column 29, lines 1-21);
preview display controlling means for displaying a preview image of the

print processing result in advance based on the print data stored by said intermediate data converting means and processing conditions (column 8, lines 65-67, lines 55-59; column 9, lines 1-7); and

job creation means for creating the print job based on the intermediate code format data stored by said intermediate data converting means, after said preview display controlling means displays the preview image (Figure 2, reference 2-23; column 9, lines 31-45; Since print job is based on information stored in 2-21 and 2-21 is based on information stored in 2-14 and 2-14 is used for preview function, the print job is created after print preview (column 9, lines 65-67; column 10, lines 1-18; column 27, lines 51-67).),

wherein the intermediate code format data is also used for the preview image (column 8, lines 55-59, lines 66-67; column 9, lines 1-2), and

wherein said preview display controlling means displays the preview image reflecting the inversion process to be executed by the printing apparatus (column 29, lines 1-9), and said job creation means creates the print job on which the inversion process has been not executed in a case where said detection means detects the setting of the inversion process function (column 29, lines 10-21; column 9, lines 31-45; Munetomo et al process the inversion on the preview from the print data received from 2-10 which receives print data from print data memory 2-6. The print job created is based on print data received from print data memory 2-22.).

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8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 3, 4, 6, 10, 12, 13, 14, 16, 20, 22, 23, 24, 26, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5923013 to Suzuki et al.

Regarding claims 2, 12, and 22, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, further comprising editing means for editing the data stored and converted to an intermediate code format by said intermediate data converting means or processing conditions of said print data (Munetomo et al : column 9, lines 65-67; column 10, lines 1-18); and data creating means for creating print data and processing conditions that implement print processing different from the print data created by said application based on the data edited by said editing means (Munetomo et al : column 10, lines 19-25; Since the application updates the setting this implies that the print processing is different from that created by application.). However Munetomo et al does not disclose wherein when a plurality of intermediate code format print data is stored, said editing means combines said plurality of intermediate code format print data into a single combined job.

Suzuki et al disclose wherein when a plurality of intermediate code format print data is stored, said editing means combines said plurality of intermediate code format print data into a single combined job (column 25, lines 27-29).

Munetomo et al and Suzuki et al are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the editing and data creating means taught by Suzuki et al with the print processing apparatus system taught by Munetomo et al to implement a flexible print data generation system.

The motivation to combine the reference is clear because it will be convenient to have a way of editing or changing print data before performing the printing.

Regarding claims 3, 13, and 23, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, wherein said preview display controlling means acquires layout information from said stored intermediate code format data and previews said print processing result based on said layout information (column 24, lines 39-46).

Regarding claims 4, 14, and 24, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, wherein when a mirroring condition is specified for said stored intermediate code format data, said preview display

controlling means makes it possible to preview the data in a mirrored display format based on the editing result from said editing means (Figure 62; column 29, lines 29-35).

Regarding claims 6, 16, and 26, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. Further Suzuki et al disclose the information processing apparatus, method, and program, wherein when said editing means combines a plurality of jobs, said preview display controlling means makes it possible to present a preview in a display format in which said combined job is displayed as a single job (column 16, lines 13-22; column 9, lines 46-56).

Regarding claims 10, 20, and 30, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. Further Munetomo et al in view of Suzuki et al disclose the information processing apparatus, method, and program, wherein in the processing of combining the print data by said editing means, the stored data is identified based on identification information obtained by adding an ID to identify the stored data to the logical page ID of said stored data (Suzuki et al: column 4, lines 51-60).

10. Claims 5, 15, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5923013 to Suzuki et al further in view of U.S. Patent No. 5864634 to Kurita.

Regarding claims 5, 15, and 25, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. However Munetomo et al in view of Suzuki et al does not disclose the information processing apparatus, method, and program, wherein when color inversion is specified for said stored intermediate code

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format data, said preview display controlling means makes it possible to preview the data in a color-inverted display format based on the editing result from said editing means.

Kurita discloses an apparatus, method, and program wherein color inversion is specified for said stored intermediate code format data, said preview display controlling means makes it possible to preview the data in a color-inverted display format based on the editing result from said editing means (column 6, lines 59-62, lines 66-67; column 7, lines 1-4, lines 8-13).

Munetomo et al, Suzuki et al, and Kurita are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the color inversion taught by Kurita with the print data processing system of Munetomo et al in view of Suzuki et al to implement color inverted print preview system.

The motivation to combine the reference is clear because a user may prefer to print data using color inverted format so it would be convenient to have a preview of color inverted print data.

11. Claims 7, 17, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5923013 to Suzuki et al further in view of U.S. Patent No. 6788427 to Okigami.

Regarding claims 7, 17, and 27, Munetomo et al in view of Suzuki et al teach all the limitations of claims 2, 12, and 22 respectively. However, Munetomo et al in view of

Suzuki et al does not disclose the information processing apparatus, method, and program comprising print data controlling means for judging whether the print data is created by said application or by said data creating means and controlling the output destination of the print data.

Okigami discloses a print data controlling means for judging whether the print data is created by said application or by said data creating means and controlling the output destination of the print data (Okigami discloses a print data controller that compares new print data generated with print data spooled and determines the outputting of the new print data based on this comparison (column 6, lines 59-67; column 3, lines 31-41).

Munetomo et al, Suzuki et al, and Okigami are combinable because they are in the similar problem area of print data processing

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the print data discrimination system taught by Okigami with the print data processing system of Munetomo et al in view of Suzuki et al to implement an efficient printing system.

The motivation to combine the reference is clear because Okigami teaches that the print data controlling method can be used to determine if duplicate print request has been issued thus saving print processing time (column 2, lines 23-35).

12. Claims 8, 18, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 6804018 to Mochizuki.

Regarding claims 8, 18, and 28, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. However Munetomo et al does not disclose the information processing apparatus, method, and program, wherein said print data controlling means releases the occupation of the application after said intermediate data converting means stores the converted data.

Mochizuki discloses information processing apparatus, wherein said print data controlling means releases the occupation of the application after said intermediate data converting means stores the converted data (Mochizuki discloses a print system wherein the completion of print data conversion triggers a release of an application (column 9, lines 24-33). Since Munetomo et al disclose of storing converted data, the teachings of Mochizuki can be applied to release application after storing of converted data as taught by Munetomo et al.).

Munetomo et al and Mochizuki are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the application releasing method taught by Mochizuki with the print data processing system of Munetomo et al to implement an efficient print data processing system.

The motivation to combine the reference is clear because processing resources can be saved by releasing an application after print data processing is complete.

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13. Claims 9, 19, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 5847848 to Suzuki et al.

Regarding claims 9, 19, and 29, Munetomo et al teach all the limitations of claims 1, 11, and 21 respectively. Further Munetomo et al disclose the information processing apparatus, method, and program, wherein said intermediate code format data converted by said intermediate data converting means is data that can be edited in accordance with expansion, contraction, and layout display (Munetomo et al: column 28, lines 30-39; column 24, lines 39-46). However Munetomo et al does not disclose editing in accordance with mirroring and color inversion.

Suzuki et al (U.S. Patent No. 5847848) disclose information processing apparatus, method, and program wherein editing in accordance to mirroring (column 6, lines 7-18) and color inversion (column 4, lines 5-23) is performed.

Munetomo et al and Suzuki et al (U.S. Patent No. 5847848) are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the mirroring and color inversion editing method taught by Suzuki et al (U.S. Patent No. 5847848) with the print data processing system of Munetomo et al to implement a practical previewing system for printing.

The motivation to combine the reference is clear because mirroring and color inversion provides a user with more flexible printing options.

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14. Claim 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661530 to Munetomo et al in view of U.S. Patent No. 6101513 to Shakib et al.

Regarding claims 51-54, Munetomo et al disclose apparatus/method/program (column 8, lines 5-15) for an information processing apparatus that creates print data, comprising:

spooling means for storing print data created by an application (Figure 2, reference 2-5; column 8, lines 31-45; Figure 2, reference 2-5; column 8, lines 43-47);

determining means for determining whether mirroring setting is set as print setting for the print data;

preview display controlling means for, in a case where said determining means determines that the mirroring setting is set, creating mirrored display data based on the print data stored by said spooling means and presenting a preview. However Munetomo et al does not disclose

a) mirroring unit determining means for, in a case where mirroring setting is set as the print setting for the print data and a Nup setting for placing N logical pages on one physical page is set, determining whether the mirrored display data to be created in unit of a logical page or not,

b) wherein a case where said mirroring unit determining means determines that the mirrored display data to be created in unit of the logical page, said preview display controlling means creates the mirrored display data for placing the mirrored

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image of each logical page without changing an arrangement order of each logical page to be placed on the physical page.

Shakib et al disclose

a) mirroring unit determining means for, in a case where mirroring setting is set as the print setting for the print data and a Nup setting for placing N logical pages on one physical page is set, determining whether the mirrored display data to be created in unit of a logical page or not (column 16, lines 62-67; column 17, lines 1-6; column 22, lines 53-67; column 23, lines 1-3),

b) wherein a case where said mirroring unit determining means determines that the mirrored display data to be created in unit of the logical page, said preview display controlling means creates the mirrored display data for placing the mirrored image of each logical page without changing an arrangement order of each logical page to be placed on the physical page (column 4, lines 39-41; column 17, lines 1-30).

Munetomo et al and Shakib et al are combinable because they are in the similar problem area of print data processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the print inversion and n-up setting of Shakib et al with the print system of Munetomo et al to implement n-up printing with inverted pages with page order maintained.

The motivation to combine the reference is clear because Shakib et al teaches the need for users to have convenience over the layout of printouts (column 2, lines 18-34).

Other Prior Art Cited

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6847466 to Gazdik et al disclose printing method.

U.S. Patent No. 6842262 to Gillihan et al disclose printing interface.

European Patent Application No. EP 0895184 A2 to Nakagiri et al disclose print control apparatus/method/storage medium.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beniyam Menberu whose telephone number is (571) 272-7465. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600. The group receptionist number for TC 2600 is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.


For more information about the PAIR system, see <http://pair-direct.uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

Beniyam Menberu

BM

02/03/2006


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER